

DECLARATION OF COVENANTS, RESTRICTIONS, AND EASEMENTS
OF
WESTCHESTER COUNTRY CLUB HOMES

ARTICLE I

DEFINITIONS

The following words and terms when used in this Declaration or any supplement Declaration hereto (unless the context shall clearly indicate otherwise) shall have the following meanings:

- A: "Articles"
- B: "Association"
- C: "Board"
- D: "Building"
- E: "By-Laws"
- F: "Capital Improvement Assessment"
- G: "Common Assessment"
- H: "Common Expenses"
- I: "Common Properties"
- J: "Declarant"
- K: "Declaration"
- L: "Westchester Country Club Homes"
- M: "Improvement"
- N: "Institutional Mortgage"
- O: "Lot"
- P: "Management Company"
- Q: "Master Association"
- R: "Master Developer"
- S: "Member"
- T: "Owner"
- U: "Person"
- V: "Reconstruction Assessment"
- W: "Recreational Facilities"
- X: "Special Assessment"
- Y: "Supplemental Declaration"
- Z: "Units"
- A-1 "Unit Owner"

ARTICLE II

OWNERS PROPERTY RIGHTS

- Section 1. Owners Easements of Enjoyment (see addendum)
- Section 2. Declaration of Use
- Section 3. Easements for Vehicular Traffic
- Section 4. Easements for County and Private Utility Use
- Section 5. Waiver of Use
- Section 6. Title To the Common Properties
- Section 7. Access Easements
- Section 8. Drainage and Water Sewer Systems
- Section 9. Easement for Access to Lake

ARTICLE III

MEMBERSHIP IN THE ASSOCIATION

ARTICLE IV

VOTING RIGHTS

- Section 1. Classes of Voting Membership
- Section 2. Vote Distribution

ARTICLE V

DUTIES AND POWER OF ASSOCIATION

- a) Common properties
- b) Private streets, internal roadway, and guardhouse
- c) Metered water, sanitary sewage, and electricity
- d) Easements, rights of way for utilities
- e) Liability, casualty, fire insurance
- f) Management Company
- g) Security and Communications
- h) Take action
- i) Exterior surfaces of Units
- j) Pay taxes and expenses for Common Properties
- k) Copies of Declaration, By-Laws and Rules
- l) Fidelity bonds
- m) Grant permits, licenses and easements

ARTICLE VI

COVENANT FOR ASSESSMENTS

- Section 1. Creation of the Lien and Personal Obligation of Assessments.
- Section 2. Common Assessments
- Section 3. Special Assessments
- Section 4. Capital Improvement and Reconstruction Assessments.
- Section 5. Notice for any Action Authorized under Section 4.
- Section 6. Rate of Assessment.
- Section 7. Date of Commencement of Association's Obligation for Collecting Assessments.
- Section 8. Date of Commencement of Common Assessments; Due Date
- Section 9. Certificate of the Association as to status of Assessments.
- Section 10. Annual Balance Sheet Prepared by Board of Directors
- Section 11. Capital Contribution.
- Section 12. Liability of Declarant.

ARTICLE VII
EFFECT OF NON-PAYMENT OF ASSESSMENTS:
REMEDIES OF THE ASSOCIATION

- Section 1. Effect of Non-Payment of Assessment: Remedies of the Association.
- Section 2. Claim of Lien.
- Section 3. Collection Expenses.
- Section 4. Foreclosure Sale.
- Section 5. Curing of Default.
- Section 6. Certificate Issued by Board of Management.
Company as to Lien Indebtedness upon a Unit.
- Section 7. Cumulative Remedies.
- Section 8. Subordination of the Lien to Mortgages.
- Section 9. Exempt Properties.

ARTICLE VIII
ARCHITECTURAL CONTROL

- Section 1. Members of Committee.
- Section 2. Review of Proposed Construction.
- Section 3. Meetings of the Committee.
- Section 4. No Waiver of Future Approvals.
- Section 5. Compensation of Members.
- Section 6. Inspection of Work (see Addendum)
- Section 7. Non-Liability of Committee Members.
- Section 8. Variance.
- Section 9. Governmental Requirements.

ARTICLE IX
MAINTENANCE AND REPAIR OBLIGATIONS

- Section 1. Maintenance and Obligation of Owners.
- Section 2. Maintenance and Obligation of Association.
- Section 3. Exterior Appearance and Design.
- Section 4. Time Limitation.
- Section 5. Declarants's Exemption.

ARTICLE X
RESTRICTIONS ON USE OF THE COMMON PROPERTIES AND UNITS

- Section 1. Unit Restrictions.
- Section 2. Common Properties Restrictions.
- Section 3. Obstructions.
- Section 4. Animal Restriction.
- Section 5. Nuisances.
- Section 6. Trash.
- Section 7. Units.
- Section 8. Antennae.
- Section 9. Rules and Regulations.
- Section 10. Parking and Vehicular Restrictions.
- Section 11. Signs.
- Section 12. Water Supply.
- Section 13. Sewage Disposal.
- Section 14. Reflective Materials.
- Section 15. Pipes to be Underground.

- Section 16. Storm Shutters.
- Section 17. Drainage.
- Section 18. Insurance Rates.
- Section 19. Temporary Building; Further Parking
Limitations
- Section 20. Declaration of Covenants, Conditions and
Restrictions of Westchester.
- Section 21. Sub-Association and Sub-Declaration

ARTICLE XI

DAMAGE OR DESTRUCTION TO COMMON PROPERTIES OR UNITS

- a) In event of Damage
- b) If Insurance proceeds are within \$20,000
- c) If Insurance proceeds are insufficient.
- d) Owner liability to Association for damage to
Common Properties.

ARTICLE XII

INSURANCE/Common PROPERTIES AND UNITS

- Section 1. Common Properties.
- Section 2. Replacement or Repair of Property.
- Section 3. Waiver of Subrogation.
- Section 4. Liability and Other Insurance.
- Section 5. Unit Owner's Insurance.

ARTICLE XIII

MORTGAGE PRIVILEGES

- Section 1. Liens on Mortgage Units.
- Section 2. Sale, Lease, or Mortgage of Units.
- Section 3. Priority.
- Section 4. Mortgagee's Option.
- Section 5. Notice.
- Section 6. Declarant's Exemption.

ARTICLE XIV

ENCROACHMENTS: EASEMENTS

- Section 1. Encroachments.
- Section 2. Pipes, Wires, Ducts, Cables, Conduits,
Public Utility Lines, Etc.
- Section 3. Easements of Support.
- Section 4. Easements for Repair, Maintenance. Etc.
- Section 5. Construction and Sales.
- Section 6. Association and Architectural Control
Committee Easements.
- Section 7. Prohibition of Encroachment of Roof
Overhang.

ARTICLE XV
GENERAL PROVISIONS

- Section 1 . Enforcement.
 - a) Breach of covenants
 - b) Act or omission a nuisance
 - c) Remedies
 - d) Failure to enforce
 - e) Affect on Liens and Mortgages
- Section 2 . Severability.
- Section 3 . Term.
- Section 4 . Interpretation.
- Section 5 . Amendments.
- Section 6 . No Public Right or Dedication.
- Section 7 . Constructive Notice and Acceptance.
- Section 8 . Notice.
- Section 10. Adding and Removing Property.
- Section 11. Absolute Liability.
- Section 12. Approval of First Mortgagees.
- Section 13. Rights of First Mortgagees.
- Section 14. Utility Agreement.

ARTICLE XVI
FINES

- Section 1. Compliance.
- Section 2. Enforcement.
- Section 3. Fines.
 - a) Notice.
 - b) Hearing.
 - c) Penalties.
 - (i) First non-compliance or violation.
 - (ii) Second " " "
 - (iii) Third or " " " more
 - d) Payment of Penalties.
 - e) Collection of Fines.
 - f) Non-Exclusive Remedy.

ARTICLE XVII
DECLARANT'S EXCEPTIONS

- Section 1. Declarant's and Master Developer's Exceptions in General.
 - a) going on any property
 - b) working on any property
 - c) conducting business or disposing of units
 - d) making improvements to constructed units
 - e) signs for marketing of units
- Section 2. Declarant's and Master Developer's Exceptions to Architectural Control.
- Section 3. Declarant's and Master Developer's Exemption from Delinquent Fees, Coasts, Interest or Penalties.

ARTICLE XVIII
PALM BEACH COUNTY REQUIREMENTS

- Section 1. Vacating Plat.
Section 2. Destruction of Units.

ARTICLE XIX
LAKE

ADDENDUM

1. EXHIBIT "A"
2. ARTICLE II Section 1
 - a) limit use by guests or invitees
 - b) uniform rules of use of Common Properties
 - c) charge admission fees for use of recreational facilities
 - d) assent by 2/3 rd vote to borrow money
 - e) suspend owner's voting rights
 - f) transfer Common Properties to any public agency
 - g) non-exclusive use of Common Properties
 - h) replace or refurbish Common Properties
 - i) relocate existing easements on Common Properties
 - j) replace destroyed trees or other vegetation
 - k) rights of Unit Owners, tenants, guests and invitees
 - l) rights according to ARTICLE X Section 20
3. ARTICLE VIII Section 6
 - a) upon completion of any work
 - b) within 10 days after
 - c) upon expiration of 30 days
 - d) notification of non-compliance
 - e) approval by Association